

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

BILLY RAY SPENCER,

Plaintiff,

vs.

**DAN GREATHOUSE, KEN
PARTRIDGE, and TOMMY
LYONS,**

Defendants.

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5:00-CV-576 (DF)

ORDER

This order hereby adopts and incorporates the Recommendation that United States Magistrate Judge Claude W. Hicks, Jr. entered in this case on October 21, 2005 (doc. 48). Neither party has served or filed written objections to the Magistrate Judge's Recommendation with the Court.

Accordingly, Defendants' motions for summary judgment (docs. 41 & 45) are hereby **GRANTED**. Plaintiff's motion for settlement (doc. 49) is hereby **DISMISSED**.

SO ORDERED, this 4th day of April, 2006.

/s/ Duross Fitzpatrick
DUROSS FITZPATRICK, JUDGE
UNITED STATES DISTRICT COURT

DF/sew